

Empire Process Service, Inc.

2920 Avenue R, Suite 311

Brooklyn, NY 11229

Tel.: (718) 449-5300

UNITED STATES SOUTHERN DISTRICT COURT

INDEX NO.: 07 CIV 0832

DISTRICT OF NEW YORK

SALVATORE COSTA

Plaintiff(s)

against

THE CITY OF NEW YORK AND CHIEF JOE FOX

Defendant(s)

AFFIDAVIT  
OF  
SERVICE

STATE OF NEW YORK, COUNTY OF KINGS

ss.:

BRUCE ANGLIN

being duly sworn, deposes and says: that deponent is not a party

to this action, is over 18 years of age and resides in The State of New York

That on 09/17/07 11:30 AM at 100 CHURCH STREET, 4TH FLOOR NEW YORK, NY 10007

deponent served the within SUMMONS & VERIFIED COMPLAINT IN A CIVIL ACTION bearing Index# 07 CIV 0832 & filing date 09/13/07 on  
THE CITY OF NEW YORK

defendant therein named,

INDIVIDUAL

☐

by delivering thereat a true copy of each to said defendant personally; deponent knew said person so served to be the person described as said defendant therein. (S)He identified (her) himself as such.

CORPORATION

☒

a MUNICIPAL AGENCY, by delivering thereat a true copy of each to TAMEKIA MENDES-GAMMON personally; deponent knew said MUNICIPAL AGENCY so served to be the MUNICIPAL AGENCY described as the named defendant and knew said individual to be the DOCKETING CLERK thereof.

SUITABLE  
AGE PERSON☐

by delivering thereat a true copy of each to a person of suitable age and discretion. That person was also asked by deponent whether said premises was the defendant's and the reply was affirmative.

AFFIXING TO  
DOOR, ETC.☐

by affixing a true copy of each to the door of said premises, which is defendant's within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having verified defendant's with and having called there on

MAILING

☐

On deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to defendant at defendant's

and deposited said wrapper in a post office of the United States Postal Service within New York State.

DESCRIPTION

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
FEMALE	BLACK	BLACK	26	5' 9	140

USE IN  
NYC CIVIL CT.☐

Other identifying features:

The language required by NYCRR 2900.2(e), (f) &amp; (h) was set forth on the face of said summons(es).

MILITARY  
SERVICE☐

I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply.

The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or Federal statutes.

SWORN TO BEFORE ME ON

09/21/07

DAVID M. MAROLTA  
NOTARY PUBLIC, State of New York  
No. 01MA5095821  
Qualified in Richmond County

BRUCE ANGLIN  
NOTARY PUBLIC, State of New York  
No. 01AN4988753  
Qualified in Kings County

BRUCE ANGLIN

822780

LICENSE NO.

Commission Expires November 14, 2010 Commission Expires November 18, 2010

JUDGE KAPLAN

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

07 CIV 8032 New York

SALVATORE COSTA,

SUMMONS IN A CIVIL ACTION

V.

THE CITY OF NEW YORK and CHIEF JOE FOX.

CASE NUMBER:

TO: (Name and address of Defendant)

The City of New York  
New York City Police Department  
One Police Plaza  
New York, New York 10038

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

David M. Fish  
500 Fifth Avenue  
Suite 5100  
New York, New York 10110

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

(By) DEPUTY CLERK

SEP 13 2007

DATE

**JUDGE KAPLAN**

SDO 440 (Rev. 8/01) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

Southern

District of

New York

SALVATORE COSTA,

V.

**SUMMONS IN A CIVIL ACTION**

THE CITY OF NEW YORK and CHIEF JOE FOX.

CASE NUMBER:

**07 CIV 8032**

TO: (Name and address of Defendant)

Chief Joe Fox  
c/o The City of New York  
New York City Police Department  
One Police Plaza  
New York, New York 10038

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

David M. Fish  
500 Fifth Avenue  
Suite 5100  
New York, New York 10110

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

**SEP 13 2007**

CLERK

DATE

By *Salvatore Costa*  
DEPUTY CLERK